

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Paul G. VAN DE VEEN et al.

Group Art Unit: 3774

Appln. No. : 10/595,720

Examiner: Yashita Sharma

I.A. Filed : November 4, 2004

Confirmation No.: 5305

For : PROSTHETIC KNEE-JOINT

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop _____
Randolph Building
401 Dulany Street
Alexandria, VA 22314

37 CFR § 1.97(b)

- ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ If an Office Action on the merits crosses in the mail with the filing of the present Information Disclosure Statement, then the following applies:

37 CFR § 1.97(c)

- ☒ The Information Disclosure Statement submitted herewith is being filed after three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); after three months of the date of entry of the national stage as set forth in § 1.491 in an international application; after the mailing of a first Office Action on the merits; or after the mailing of a first Office Action after the filing of a request for continued examination under § 1.114, but before the mailing date of:

1. a Final Action under § 1.113,
2. a Notice of Allowance under § 1.311, or
3. an action that otherwise closes prosecution in the application,

We note that U.S. Patent 4,946,156 is a family member of JP1-97456, U.S. Publication 2005/0234562 is a family member of JP2004-167106, and U.S. Patent 5,376,137 is a family member of JP5-237143.

and is accompanied by either:

- ☐ the fee as set forth in § 1.17(p); or
- ☒ the following statement under § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

- ☐ the following statement under § 1.97(e)(2): no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

37 CFR § 1.97(d)

- ☐ The Information Disclosure Statement submitted herewith is being filed after a Final Action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, but before, or simultaneously with, the payment of the issue fee. Submitted herewith is the fee as set forth in § 1.17(p) and:
- ☐ the following statement under § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ the following statement under § 1.97(e)(2): no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The above certification statement under § 1.97(e)(1) or § 1.97(e)(2), if selected, does not apply to documents that are already of record since no certification need be made for such documents.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08 (or Form 1449) with the Examiner's initials in the left column in accordance with M.P.E.P. § 609 are respectfully requested. Copies of the references cited, except U.S. Patent and U.S. Patent Application Publications, are enclosed.

☐ This application is a: ☐ Continuation / Divisional, ☐ Continuation-in-Part, of U.S. Application No. _____. References are available in the parent application(s) if not enclosed.

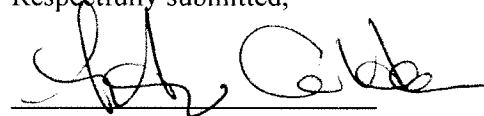
☐ The attached PTO/SB/08 (or Form 1449) lists one or more Office Actions in one or more co-pending, commonly assigned applications having a common filing date. The PTO/SB/08 (or Form 1449) also lists the references cited in the one or more Office Actions. Copies of the cited documents are submitted herewith to the extent required by the applicable rules. Applicants respectfully request the Examiner consider these documents during examination of the instant application.

Applicants respectfully point out that the submission of the listed documents in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the Application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account Number 50-2478.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew M. Calderon", written over a horizontal line.

Andrew M. Calderon
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